

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7374 of 2015

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Bhola Yadav Son of Late Baijnath Yadav, Resident of Village- Pastan Navtoli,
Police Station- Andhrathardhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Madhubani.
4. The Sub- Divisional Officer, Jhanjharpur, District- Madhubani.
5. The Circle Officer, Block- Andhratharhi, District- Madhubani.
6. Bharat Poddar,
7. Laxman Poddar,
8. Rama Poddar, Respondent No. 6, 7 and 8 are Son of Late Bauelal Poddar,
Resident of Village- Paston Navtoli, Police Station- Andhratharhi, District-
Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Lakshmindra Kumar Yadav
For the State		Mr. Birju Prasad, GP 13
For respondent 6 to 8		Mr. Baleshwar Kamat

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-01-2019 Heard learned counsel for the parties.

Following is the relief, which the petitioner is
seeking:-

(i) For Issuance of an appropriate order,
direction or writ in the nature of MANDAMUS
commanding the respondents to get vacated Gair
Majarua Khas Land, Khata No. 776 (old), Khesra
No. 6605 (old), Khata No. 2210 (New), Khesra
No. 1435 (New), Mauza-Rakhwari, Circle-
Andhrathardhi, Block-Andhrathardhi, District-



Madhubani.

(ii) For direction to respondents for settlement/Parcha of the land in question in favour of the petitioner.”

A counter affidavit has been filed on behalf of the State of Bihar, stating therein that the petitioner is not a landless person. The private respondents have also entered appearance by way of Vakalatnama. A counter affidavit has been filed on their behalf also.

It is stated at the bar that a title suit being Title Suit No. 39 of 2015 is pending in the court of learned Civil Judge, 1st, Senior Division, Jhunjharpur, in respect of the same disputed land.

In view of above, this writ application is disposed of with an observation that the parties shall be free to take such plea as found permissible, in accordance with law.

(Chakradhari Sharan Singh, J)

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